

### III. Remarks

Reconsideration of this application in light of the above amendments and the following remarks is requested. Prior to this amendment, claims 1-40 were pending in the present application. Claims 1 and 24 are currently amended, and claims 4, 16-23, 31 and 37-40 are currently canceled without prejudice or disclaimer. No new claims are currently added. Consequently, claims 1-3, 5-15, 24-30 and 32-36 remain pending in the present application.

The Examiner has rejected previously pending claims 16-23 under 35 U.S.C. §112. However, these claims have been cancelled without prejudice or disclaimer, rendering their rejection moot.

The Examiner has also rejected several claims under 35 U.S.C. §102(e) as unpatentable in view of U.S. Pat. No. 6,408,005 to Fan, et al. ("Fan, et al."), including the only independent claims that remain pending in the present application, claims 1 and 24. However, the Examiner has also indicated that claims 4 and 31 (among others) would be allowable if rewritten in independent form. Consequently, claims 4 and 31 have been rewritten in independent form and are currently presented as amended claims 1 and 24. Accordingly, claims 1 and 24 are patentable in view of Fan, et al., as are their dependent claims 2, 3, 5-15, 25-30 and 32-36. Therefore, any §102(e) rejection of these claims based on Fan, et al., should be withdrawn.

Applicants appreciate the Examiner's indication that the disclosure of previously-pending claims 4-6, 8-12, 17-23, 27-29 and 31-35 cannot be found in the prior art (as described in the Examiner's "Allowable Subject Matter" paragraph 7 of the Office Action). However, Applicants also note that the specific reasons provided by the Examiner pertaining to the allowability of any currently or previously pending claim(s) are not each necessarily applicable to each currently or previously pending claim of the present application, and traverse any implication that each limitation described by the Examiner is necessarily included in each claim that the Examiner has indicated would be allowable if rewritten.

By the present amendments, all claims which were rejected by the Examiner in the current Office Action: (1) have been amended to include subject matter deemed by the Examiner to be allowable; (2) depend on claims amended to include subject matter deemed by the Examiner to be allowable; or (3) have been cancelled without prejudice or disclaimer. Thus, in effect, all currently-pending claims have been deemed allowable by the Examiner.

Appl. No. 09/626,400  
Amendment in Response to Office Action of 2/9/05



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#### IV. Conclusion

It is believed that this paper addresses all matters raised by the Examiner in the Office Action mailed February 9, 2005. Consequently, an early indication of the allowability of the claims is respectfully requested. Should the Examiner deem that an interview with Applicants' undersigned attorney would expedite consideration, the Examiner is respectfully invited to call the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "DR Hofman".

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Dated: 5/9/05

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This paper and fee are being deposited with the U.S. Postal Service Express Mail Post Office to Addressee service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Karen L. Underwood

Name of person mailing paper and fee

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Signature of person mailing paper and fee